

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE: Steven and Diana McFadden

Case No. 10-36471-dof

Hon. Daniel S. Opperman

CHAPTER 13

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NOTICE OF PROPOSED POST-CONFIRMATION PLAN MODIFICATION AND NOTICE
OF DEADLINE TO OBJECT TO CHAPTER 13 PLAN MODIFICATION

Debtor(s), Steven and Diana McFadden, have filed papers with the Court to Modify their confirmed Chapter 13 Plan.

An Order Confirming Plan had been entered. The Debtors propose to modify the confirmed plan pursuant to LBR 3015-2(b) as follows:

- (1) Debtor(s) shall retain \$950 of the \$_950 tax refund for the year 2011.

In all other respects, the Order Confirming Plan referred to above shall remain in full force and effect.

That the reasons for filing said proposed Post Confirmation Plan Modification are as follows:

- a) Debtors need the tax refunds to pay for auto repairs and to remedy drainage issues in their yard to prevent flooding. Further, Debtors' plan runs timely as proposed.

That this plan modification will not affect any class of creditors EXCEPT:

- a) Class 8 general unsecured creditors may receive less than expected.

Attached as Exhibit (1) is a Proposed Order Modifying said Plan in accordance with this Proposed Post-Confirmation Plan Modification. Attached as Exhibit (2) is a copy of the liquidation analysis. NO amended schedules are attached as the Debtor's income and expenses have not changed, and the expenses listed in the motion were unusual and unexpected.

Your rights may be affected. You should read these papers carefully and discuss them

with your attorney if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult with one.)

If you do not want the Court to allow the Proposed Post-Confirmation Plan Modification, or if you want the Court to consider your views on the Proposed Post-Confirmation Plan Modification, within twenty one (21) days, you or your attorney must

1. File with the Court a written response or an answer, explaining your position at:

United States Bankruptcy Court
226 West Second Street
Flint, Michigan 48502

2. You must also mail a copy to:

Jesse R. Sweeney (P60941) Sweeney Law Offices, P.L.L.C. Attorney for Debtor 29777 Telegraph, Suite 2500 Southfield, MI 48034 (586) 909-8017	Chapter 13 Standing Trustee Carl Bekofske 400 N. Saginaw Street, Suite 331 Flint, MI 48502
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3. If a response or is timely filed and served, the clerk will schedule a hearing on the Amended Post-Confirmation Plan and you will be served with a notice of the date, time, and location of the hearing.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in this Notice and may allow the modification.

Respectfully submitted,

DATE: __May 28, 2012

/s/ Jesse R. Sweeney
Jesse R. Sweeney (P60941)
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Attorney for Debtor
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Southfield, MI 48034
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ORDER GRANTING DEBTOR'S FIRST PROPOSED POST-CONFIRMATION PLAN
MODIFICATION

Upon the reading and filing of the Debtor(s) First Proposed Post-Confirmation Plan Modification and no objections having been filed to the said Notice, and a Certificate of No Response having been filed with this Court;

IT IS HEREBY ORDERED:

- a) Debtor(s) shall retain \$950 of the \$950 tax refund for the year 2011..

DATED:

Honorable Daniel S. Opperman

N. LIQUIDATION ANALYSIS AND STATEMENT OF VALUE OF ENCUMBERED PROPERTY [LBR 3015-1(b)(1)]:

TYPE OF PROPERTY	FAIR MARKET VALUE	LIENS	DEBTOR'S SHARE OF EQUITY	EXEMPT AMOUNT	NON-EXEMPT AMOUNT
PERSONAL RESIDENCE	130,000.00	200,266.00	0.00	0.00	0.00
VEHICLES	24,833.00	17,330.00	7,503.00	5,500.00	2,003.00
HHG/PERSONAL EFFECTS	3,100.00	0.00	3,100.00	3,100.00	0.00
JEWELRY	3,500.00	0.00	3,500.00	3,500.00	0.00
CASH/BANK ACCOUNTS	2,000.00	0.00	2,000.00	2,000.00	0.00
OTHER	42,000.00	0.00	42,000.00	0.00	42,000.00

Amount available upon liquidation	\$	44,003.00
Less administrative expenses and costs	\$	13,000.00
Less priority claims	\$	0.00
Amount Available in Chapter 7	\$	31,003.00

/s/ Jesse R. Sweeney

Jesse R. Sweeney P60941

Attorney for Debtor

Sweeney Law Offices, P.L.L.C.

29777 Telegraph, Suite 2500

Southfield, MI 48034

Sweeneylaw2005@yahoo.com

586.909.8017 Fax:517.947.5991

Phone Number

/s/ Steven McFadden

Steven McFadden

Debtor

/s/ Diana L. McFadden

Diana L. McFadden

Joint Debtor

December 9, 2010

Date